

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
4:17-CV-75-BR

CORA L. GORHAM-WHITE,

Plaintiffs,

v.

PITT COUNTY SCHOOLS,

Defendant.

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ORDER

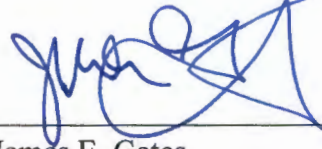
This case is before the court, in part, on the motion by defendant Pitt County Schools (“defendant”) (D.E. 14) to stay discovery pending resolution of its motion to dismiss (D.E. 9) for lack of subject matter jurisdiction, on the basis of governmental immunity, and for failure to state a claim upon which relief can be granted. Defendant contends that resolution of the dismissal motion may obviate discovery and that deferral of discovery until after such resolution would preserve the court’s and the parties’ time and other resources. Plaintiff Cora Gorham-White (“plaintiff”), who is proceeding pro se, has not filed a response to the motion to stay and the time for doing so has expired, although her proposed discovery plan (D.E. 19), filed after defendant’s dismissal and stay motions, appears to contemplate discovery proceeding without delay.¹

The court finds that defendant has shown good cause for the stay requested. The motion to stay (D.E. 14) is therefore ALLOWED, and all discovery in this case is STAYED pending entry of the order disposing of defendant’s motion to dismiss. The parties shall file a discovery plan within 14 days after such entry if at the time one or more claims remain.

¹ Defendant filed a separate discovery plan (D.E. 18). Defendant’s plan notes defendant’s filing of the instant motion to stay (Def.’s Disc. Plan ¶ 2) but plaintiff’s plan, which is obviously based on defendant’s plan, omits any reference to defendant’s stay motion.

Also before the court is plaintiff's motion (D.E. 20) for extension of time to exchange initial disclosures. In light of the court's allowance of defendant's motion to stay, plaintiff's motion for extension is DENIED as moot.

SO ORDERED, this 29th day of August 2017.



James E. Gates
United States Magistrate Judge